UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz & Schneid, P.L.

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Laura Egerman, Esq. (LE-8250)

In Re:

Flora A. DelloRusso,

Debtor.

Order Filed on May 14, 2019 by Clerk U.S. Bankruptcy Court District of New Jersey

Case No.: 17-23657-RG

Chapter: 13

Hearing Date: May 1, 2019

Judge: Rosemary Gambardella

ORDER RESOLVING SECURED CREDITOR'S CERTIFICATON OF DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3), is hereby ORDERED.

DATED: May 14, 2019

Honorable John K. Sherwood United States Bankruptcy Court

Page 2		
Secured Creditor: Nationstar Mortgage LLC d/b/a Champion Mortgage Company		
Secured Creditor's Counsel: Robertson, Anschutz & Schneid, PL		
Debtors' Counsel: Russell L. Low		
Property Involved ("Collateral"): 52 Second Avenue, Hawthorne NJ 07506		
Relief sought: Motion for relief from the automatic stay/Certification of Default Motion to dismiss Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings		
For good cause shown, it is ORDERED that Applicant's Motion(s) is (are) resolved, subject to the following conditions:		
1. Status of post-petition arrearages:		
■ The Debtor is overdue for $\underline{1}$ insurance payment in the amount of $\underline{\$4,100.00}$.		
☐ The Debtor is overdue for _ regular monthly mortgage payments from		
through at \$ per month.		
☐ The Debtor is assessed for late charges at \$per month.		
Funds Held in Suspense \$0.00.		
Total Arrearages Due <u>\$4,100.00</u>		
2. Debtor must cure all post-petition arrearages, as follows:		
□ Immediate payment in the amount of \$ shall be made on or before		
■ Beginning on <u>05/15/2019</u> , regular monthly cure payments shall be made in the amount of \$455.55 for 8 months. A final payment in the amount of <u>\$455.60</u> shall be made on or before <u>01/15/2020</u> .		
■ Pursuant to the terms of Debtor's Reverse Mortgage, Debtor shall maintain home		

owner's insurance on the subject property, as well as make timely tax payments to the tax

collector.

Payments to the Secured Creditor shall be made to the following address(es):

■ Monthly cure payment:	Champion Mortgage Company
	P.O. Box 619093
	Dallas, TX 75261

4. In the event of Default:

□ Immediate payment:

3.

- If the Debtor fails to comply with the terms of this consent order, then the Automatic Stay will *automatically* be vacated with respect to the subject property without the filing of a Certification of Default.
- If the Debtor fails to make any of the monthly mortgage payments within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.
- In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 and Chapter 7 Trustee, the Debtor(s), and Debtor(s)' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor(s)' failure to comply with this Consent Order.
- □ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5.	Award of Attorneys' Fees:
	■ The Applicant is awarded attorney fees of \$200.00.
	The fees and costs are payable:
	■ Through the Chapter 13 plan.

☐ To the Secured Creditor within ______ days.

□Attorneys' fees are not awarded.

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Jnited States Bankruptcy Court District of New Jersey

In re: Flora A. DelloRusso Debtor Case No. 17-23657-RG Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2 User: admin Page 1 of 1 Date Rcvd: May 14, 2019 Form ID: pdf903 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 16, 2019.

db +Flora A. DelloRusso, 52 Second Ave, Hawthorne, NJ 07506-2408

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. $\,$ TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 16, 2019 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 14, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Nationstar Mortgage LLC D/B/A Champion Mortgage Company dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Kevin M. Buttery on behalf of Creditor Nationstar Mortgage LLC D/B/A Champion Mortgage Company bkyefile@rasflaw.com

Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC D/B/A Champion Mortgage Company bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com

Marie-Ann Greenberg magecf@magtrustee.com

Russell L. Low on behalf of Debtor Flora A. DelloRusso rbear611@aol.com,

 ${\tt ecf@lowbankruptcy.com;r57808@notify.bestcase.com}$

Sindi Mncina on behalf of Creditor Nationstar Mortgage LLC D/B/A Champion Mortgage Company smncina@rascrane.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7